

THE NEW ISSUE.—As that the old issue of "non-extension" is laid aside, as announced by Mr. Seward, it remains only the very issue is on the proposition of Mr. Buchanan in his message, of Mr. Seward in his Speech, and of Mr. Lincoln in his Inaugural, to make the national protection of Slavery in the States irrevocable by an unamendable amendment of the Constitution for that purpose. Upon this point, all "the irrepressible conflict" between slavery and freedom is at a turn, for the present. And, in the settlement of it, "the higher law" is to be set aside, for the sake of Union.

News of the Day.

FINAL ACTION OF THE SENATE.

On the proposed amendment of the Constitution, for perpetuating slavery, by an unchangeable provision, for its security.

We copy the following from the *Daily Globe*, Number 80, for March 11, and from the 'Supplement' thereto annexed.

IN SENATE.

The Senate re-assembled at seven o'clock p. m. [Sunday evening, March 3] and Mr. Bright took the Chair as Presiding Officer.

[The entire four pages, 28 columns, of the *Globe*, and twelve and a half columns of the Supplement, are occupied with the proceedings of that sitting of the Senate, which was continued, without intermission, until some time in the morning of Monday, March 4. And all these 40½ columns except about 3½, are occupied with various proposals for amending the Constitution in reference to the slavery question. We omit all except the closing part of the proceedings on the only proposition adopted, namely, that which proposed—

"That no amendment shall be made to the Constitution which will authorize or give any Congress power to abolish or interfere, within any State, with the domestic institutions thereof, including that of persons held to labor or servitude by the law of said State."

When the Senate was about to vote on this proposal, the Yeas and Nays were ordered, and, after voting,

The list of yeas and nays was read, as follows:

YEAS.—Messrs. Anthony, Baker, Bigler, Bright, Crittenden, Davis, Douglas, Foster, Grimes, Gwin, Harlin, Hunt, Johnson, Trenchard, Kennedy, Latham, Mason, Morrill, Nicholson, Polk, Pugh, Rice, Sebastian, TenEyck, and Thouston—24.

NAYS.—Messrs. Bingham, Chandler, Clark, Doubtless, Fremont, Fuller, King, Sumner, Trumbull, Waite, Wilkinson, and Wilson—12.

The Presiding Officer, [Mr. Polk in the chair]. The yeas are 24, and the nays 12. Two thirds of—

Mr. TRUMBULL. Before the vote is announced, I desire to ask the question of the Chair to the decision he is about to make. The Constitution of the United States provides

Mr. DOUGLASS. I suppose the result is announced.

Mr. TRUMBULL. It is announced—yeas 24, nays 12.

Mr. TRUMBULL. I suppose the Chair—as in one event I shall appeal from the decision—would, perhaps, like to hear a suggestion before it decides.

The Presiding Officer. The Senator from Illinois will state the question.

Mr. BUCHANAN. The Chair had proceeded so far as to say that the affirmative vote was 24, and the nays 12.

Mr. BUCHANAN. What is the Chair to decide. Nothing on the face of the earth. The Constitution decides the whole question.

The Presiding Officer. The Chair was about to proceed further, and at that point the Senator from Illinois addressed the Chair.

Mr. BRIGHT. I think all the Chair had to do.

Mr. TRUMBULL. If the Senator from Pennsylvania wishes to come to the floor, I will appeal from his decision. He will call a meeting by it.

Mr. TRUMBULL. The Chair has nothing to decide.

Mr. TRUMBULL. The Chair has something to decide.

Mr. TRUMBULL. The Chair has decided the fact.

Mr. TRUMBULL. The Constitution of the United States declares that—

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constitutional amendment—as is used in regard to the body of which there is no necessity to make a quorum. To constitute a quorum of the Senate, the Senate must have a majority of the Senate. If to constitute a quorum, you must have a majority of the Senate. If to constitute a quorum of the Senate requires a majority of all the Senators of the United States, so to constitute a quorum of the Senate, must it not require two thirds of all the Senators of the United States? I have stated the question for the decision of the Chair.

Mr. DOUGLASS. I ask that the result be announced, and then an appeal be taken.

Mr. TRUMBULL. I remember the point which the Senator from Illinois makes, was made at the first session of Congress, on the first ten amendments of the Constitution, and was decided against. Two-thirds of a quorum was then decided to be enough; and the Journals of the Senate and the House of Representatives show it.

Mr. DIXON. I rise to a question of order. I inquire of the Chair if this debate is in order. It is not, I object.

Mr. DOUGLASS. I ask for the announcement.

The Presiding Officer. The Senate will allow the Chair to announce the result on the vote again. The yeas are 24, and the nays are 12. The Chair announces that two thirds of the Senators voting have voted for sustaining the amendment to the Constitution.

Mr. GRIMES. I now move that the Senate adjourn until ten o'clock.

Mr. TRUMBULL. If the Chair has decided that the amendment is carried, I appeal from the decision of the Chair on the ground that the constitutional propriety has not voted for the amendment, and on that question I ask for the yeas and nays. I wish the president merely, I do not wish any debate about it, but I should like to have the solemn decision of the Senate that two thirds of a quorum has a right to present amendments to the Constitution. The Senator from Ohio says it has been settled. I should like to have it settled again.

The Presiding Officer. The Chair will ask that the rule be read.

The Secretary read the 44th rule, as follows.

"When an amendment to be proposed to the Constitution is under consideration, the concurrence of two thirds of the members present shall be requisite to decide any question for amendment, or extending to the merits, being short of the final question."

Mr. PUGH. The Senator from Illinois asked me to repeat my statement.

Mr. TRUMBULL. No, sir. I said that I understood the Senator from Ohio to say that the question had been already decided.

Mr. PUGH. I do say so.

Mr. TRUMBULL. I do not wish to deny it, but I said I wished the precedent set, that we might have it decided again.

Mr. PUGH. I tell the Senator that I have examined the Journals. It became important about four years ago upon the question of overruling one of the veto messages of the President.

The Presiding Officer. The Senator from Illinois up to the present has been correct (but with one exception) as to its correctness, and with an impression *prima facie* the other way) on the statement made by the Senator from Ohio which he supposes to be a correct statement of the precedent, that two thirds have voted for the amendment, and that therefore it is proposed by the Senate of the United States, as an amendment to the Constitution, to be acted on by the States.

Mr. PUGH. I had better make my statement complete, so that Senators will understand it. It appears by the Journal of the Senate, and I think also of the House of Representatives—certainly by the Journal of the Senate—that when the first ten amendments were adopted, it is stated that they were adopted by two thirds of the Senators present, they were remitted to the States for ratification. It was important for us to examine it, about four years ago, upon the question of overruling a veto message of the President, and the Journals were brought in, and the Secretary called my attention to them, and I saw that they were read from the Secretary's desk and that there is a question that he provides has been that, in declaring that a majority of the Senate is a quorum, it means to declare that that is the Senate.

Mr. DOUGLASS. I hope there will be no debate, but I take a vote if we want to take a recess. If there is no other business.

Mr. TRUMBULL. The Senate will take a recess, take a few more votes to put a Constitutional amendment than to enact ordinary legislation, and take the nays. I do not wish to discuss it, but merely to put upon the records of the Senate the precedent.

The Presiding Officer. Do I understand the Senator from Illinois to take an appeal?

Mr. TRUMBULL. Yes, sir, with the view of getting an expression of the Senate. I wish the yeas and nays.

The yeas and nays were read.

Mr. MASON. I shall vote in the affirmative, by sustaining the opinion of the Chair, and I shall also vote to reverse the body of assuming that you are a recess day.

I should like to have the Senate decide upon the question of the body of the Senate, but there seems to be a consensus of opinion in the Senate.

The yeas and nays were read.

Mr. MASON. I shall vote in the affirmative, by sustaining the opinion of the Chair, and I shall also vote to reverse the body of assuming that you are a recess day.

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The yeas and nays were read.

Mr. MASON. I shall vote in the affirmative, by sustaining the opinion of the Chair, and I shall also vote to reverse the body of assuming that you are a recess day.

The Senate seems to me to have placed a construction on the clause in the Constitution. That 44th rule is this—

"When an amendment to be proposed to the Constitution is under consideration, the concurrence of two thirds of the members present shall be requisite to decide any question for amendment, or extending to the merits, being short of the final question."

That would seem to be a construction of the rule. The question being taken by yeas and nays, resulted—yeas 35, nays 11, as follows:

YEAS.—Messrs. Anthony, Baker, Bigler, Bingham, Bright, Chandler, Clark, Crittenden, Dixon, Doubtless, Douglas, Durkee, Fessenden, Fox, Foster, Grimes, Gwin, Harlin, Hunt, Johnson, Trenchard, Kennedy, Latham, Mason, Nicholson, Pugh, Rice, Sebastian, Sumner, Ten Eyck, Thouston, Trumbull, Waite, Wilkinson, and Wilson—41.

NAYS.—Mr. Wade—1.

So the decision of the Chair was sustained.

Mr. PUGH. I should like to have this read, in order that it may go into the *Globe*, and make an end of this controversy.

Mr. MASON. I object to it.

The following is the extract from the Journal of the Senate, referred to by Mr. Pugh.

Wednesday, September 9, 1850.

"Resolved, That the Senate do concur in the resolve of the House of Representatives on articles to be proposed to the States of the States, as amendments to the Constitution of the United States, with amendments; two thirds of the Senators present concurring therein."

Removal of an attack on Port Picken, was current on Saturday afternoon, but Monday brought no confirmation of them.

Mr. Guthrie, on Saturday evening, addressed a Union meeting at Louisville, commencing moderation, saying that "President Lincoln was honest, and that the North would not be satisfied until the South was free."

Meaning, doubtless, that he will redeem the pledge of his Inaugural by consenting to an amendable amendment of the Constitution for the "irrevocable" protection of slavery.

Port Sumner—Washington, Saturday, March 16, 1861. Dispatches were received here to-day from Montgomery, indicating a momentary apprehension of a collision at that Port Picken. It appears that the Commanders of the United States Squadron on the coast, have refused to permit further communication with the shore. There are 500 Government troops and marines in the various vessels laying off the harbor. Should they disregard this notification and attempt to land, a fight will at once come off.

Washington, March 16.—Orders have been issued from the War Department of the Government of several ships of war, but their destination is not announced.

Gen. Wool—Troy, Thursday, March 14, 1861. The Troy Budget of last evening states authoritatively, that the dispatch from Washington, in the New York Herald, stating that Gen. Wool had advised the surrender of Port Sumner, is without foundation.

Gov. Howton, of Texas is opposed to the annexation of that State to the Southern Confederacy, and denies the authority of the Texas Convention. He is raising troops on his own account. So they go.

The *Unionist*, *Cherokee* in Charleston S. C., wants a Partner, and sends an advertisement North for one. A Channing, a Fuller, a Pierpont, or a May, it is to be presumed would not be acceptable.

Hon. David Wilmot, (who proposed the Wilmot proviso) is appointed U. S. Senator from Pennsylvania, in place of Mr. Cameron, now in the Cabinet.

In the British Parliament, Lord John Russell regretted that the course of the American Government in denying the privilege of visitation, obstructed the efforts of the British Government for passing down the African Slave Trade.

Palmerston in the most indignant language, condemned the shameful and profligate conduct of Spain, and demanded the restoration of the rights of the United States, who from a mistaken sense of national honor, allowed the protection of its flag to the purposes of the slave trade.

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"Southern Business Policy." The Boston Post describes a call which was extracted from a private letter from a gentleman of high social position residing in the central part of Mississippi. He is a slaveholder and has some sixteen of the "human chattels" employed as daily servants in his household.

